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10/506,889	09/07/2004	Haruhito Watanabe	1254-0256PUS1	6735
2292 7590 10/03/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER PHAM, MICHAEL	
			ART UNIT 2167	PAPER NUMBER
			NOTIFICATION DATE 10/03/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

Application No.

10/506,889

Applicant(s)

WATANABE, HARUHIOTO

Examiner

Michael D. Pham

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2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/17/07</u> . | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

***Status of claims***

1. Claims 1-4 are pending.
2. Claims 1-4 have been amended.

***Specification***

3. Prior objection withdrawn.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 – 4 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication 2001/0048534, by Tanaka et al. (hereafter Tanaka).

**Claim 1:**

Tanaka discloses the following claimed limitations:

“Transmission origin storage means to which the file to be transmitted is saved; and”  
[paragraph 0055, A transmitting/receiving device transmits and receives image data]

“Identifying file generating means in the transmission origin storage means for generating an identifying file having a unique structure used to identify the transmission origin and the file to be transmitted”[0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 7 discloses, shows a print file. 0086 discloses, receives image files according to the paths recorded in the print file to print images. Therefore, identifying file (0086, print file) generating means in the transmission origin storage (storage mediums, figure 3 element 36 or 94 ) means for generating an identifying file (0088, print file) having a unique structure (figure 7, structure of print file) used to identify the transmission origin (0088, name of device) and the file (0088, path of file) to be transmitted (0086, receives image files) is suggested.], “identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin”[0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number

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of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system.

Therefore, identification of the transmission origin (0088, name of device) and the file to be transmitted (0088, path of file) being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus (figure 6, structure of directories) and a transmission destination apparatus (0055, communication device) of the information transmission system (figure 1) in order to identify the identifying file (0088, print file) contained in the folder structure (figure 6) and having the unique structure (figure 7, elements of the print file) used to identify the transmission origin (0088, name of device) is suggested.].

**Claim 2:**

Tanaka discloses the following claimed limitations:

“Transmission destination storage means to which the transmitted file is saved;” [0075, A transmitting/receiving device transmits and receives the image data and the directory information in accordance with instructions of the CPU.]

“Monitoring means for detecting that a folder structure in a transmission origin storage means provided in a transmission origin apparatus matches a folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus of the information transmission system in order to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin; and” [Figure 8

and 0093, discloses after that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer. Figure 1 discloses view of an electronic camera and printer system. Figure 6 discloses, structure of directories. Figure 7 discloses, elements of the print file. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. Therefore, monitoring means for detecting (0093 and figure 8, directory browse) that a folder structure (0093 and figure 8, directory information from the camera) in a transmission origin storage (figure 3 elements 94 and 38, storage medium) means provided in a transmission origin apparatus (0093, camera) matches a folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus (0093, requests/reads directory information from printer/camera) of the information transmission system (figure 1) in order to identify an identifying file (0088, print file) contained in the folder structure (figure 6, structure of directories) and having a unique structure (figure 7, elements of print file) used to identify the transmission origin (0088, name of device) is suggested. ]

“Saving means for saving, to the transmission destination storage means, a file other than the identifying file saved to said transmission origin storage means of the transmission origin apparatus, on the basis of results of the identification by the monitoring means” [0107 discloses, If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer.” and specifically referring to saving the file, 0177 discloses the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data

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receiving device; and the data receiving device stores the received print file in the storage medium]

**Claim 3:**

Tanaka discloses the following claimed limitations:

“A transmission origin apparatus and a transmission destination apparatus connected together using a standardized serial interface standard, the transmission origin apparatus comprising:” [0077 discloses in case of wire communication, a serial interface format such as the RS-232, RS-422, the USB and the IEEE1394 may be used]

“Transmission origin storage means to which the file to be transmitted is saved; and” [paragraph 0055, A transmitting/receiving device transmits and receives image data]

“Identifying file generating means for generating, in the transmission origin storage system, an identifying file having a unique structure used to identify the transmission origin, in addition to the file to be transmitted” [0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 7 discloses, shows a print file. 0086 discloses, receives image files according to the paths recorded in the print file to print images. Therefore, identifying file generating means for generating (0086, print file), in the transmission origin storage system (storage mediums, figure 3 element 36 or 94 ), an identifying file (0088, print file) having a unique structure (figure 7, structure of print file) used to identify the transmission origin (0088, name of device) in addition to the file to be transmitted (0088, path of file) to be transmitted

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(0086, receives image files) is suggested.], “identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin,” [0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. Therefore, identification of the transmission origin (0088, name of device) and the file to be transmitted (0088, path of file) being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus (figure 6, structure of directories) and a transmission destination apparatus (0055, communication device) of the information transmission system (figure 1) in order to identify the identifying file (0088, print file) contained in the folder structure (figure 6, structure of directories) and having the unique structure (figure 7, elements of the print file) used to identify the transmission origin (0088, name of device) is suggested.]

“The transmission destination apparatus comprising:



The transmission apparatus storage means to which the transmitted file is saved;” [0075, A transmitting/receiving device transmits and receives the image data and the directory information in accordance with instructions of the CPU.]

“Monitoring means for detecting that a folder structure in the transmission origin storage means provided in the transmission origin apparatus matches the folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin; and” [Figure 8 and 0093, discloses after that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer. Figure 1 discloses view of an electronic camera and printer system. Figure 6 discloses, structure of directories. Figure 7 discloses, elements of the print file. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. Therefore, Monitoring means for detecting (0093 and figure 8, directory browse) that a folder structure (figure 6, 0093, figure 8, directory information from the camera) in the transmission origin storage (figure 3 elements 94 and 38, storage medium) means provided in the transmission origin apparatus (0093, camera) matches the folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus (0093, requests/reads directory information from printer/camera) of the information transmission system (figure 1) in order to identify the identifying file (0088, print file) contained in the folder structure (figure 6, structure of

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directories) and having the unique structure (figure 7, elements of print file) used to identify the transmission origin (0088, name of device) is suggested. ]

“Saving means for saving, to the transmission destination storage means, a file other than the identifying file saved to said transmission origin storage means, on the basis of results of the identification by the monitoring means.” [0107 discloses, If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer.” and specifically referring to saving the file, 0177 discloses the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data receiving device; and the data receiving device stores the received print file in the storage medium]

**Claim 4:**

Tanaka discloses the following claimed limitations:

“A folder structure detecting step of detecting a folder structure in transmission origin storage means of a transmission origin apparatus to which the file to be transmitted to transmission destination storage means of a transmission destination apparatus is saved;” [0058, When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on the directory structure. Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.]

“An identifying file monitoring step of detecting that the folder structure in said transmission origin storage means detected in the folder structure detecting step is a folder

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structure that has been pre-standardized for the transmission origin and the transmission destination of the information transmission system in order to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin; and” [Figure 8 and 0093, discloses after that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer. 0094, discloses determines whether or not the print file is included in the directory. Figure 1 discloses view of an electronic camera and printer system. Figure 6 discloses, structure of directories. Figure 7 discloses, elements of the print file. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. Therefore, an identifying file (0094, print file) monitoring step of detecting that the folder structure (0093 and figure 8, directory browse) in said transmission origin storage means (figure 3 elements 94 and 38, storage mediums) detected in the folder structure detecting step is a folder structure that has been pre-standardized for the transmission origin and the transmission destination (0093, requests/reads directory information from printer/camera) of the information transmission system (figure 1) in order to identify an identifying file (0094, print file) contained in the folder structure (figure 6, structure of directories) and having a unique structure (figure 7, elements of the print file) used to identify the transmission origin (0088, name of device). ]

“A copy activation control step of activating and controlling, on the basis of results of the identification in the identifying file monitoring step, copy means for copying a file other than the identifying file saved to said transmission origin storage means, to the transmission destination

storage means.”[paragraph 0107, If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer. This copies the file to the destination storage means.]

***Response to Arguments***

6. Applicant's arguments filed 7/13/07 have been fully considered but they are not persuasive. Applicant's asserted the following (lettered):

A. That Tanaka does not disclose “identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin” in claim 1. Applicant's appear to assert similar arguments for claim 3.

In response, the examiner respectfully disagrees that Tanaka does not disclose the limitation. Tanaka 0086 discloses, receives print file from the electronic camera, and then receives the image files according to the paths recorded in the print file to print the images. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. The information on each print job indicates the path of the file, the type of paper sheets, and number of prints. Figure 6 discloses shows the structure of directories including image files stored in a storage medium of the

electronic camera. Figure 7 discloses, print file. 0070 discloses, reads the designated image data from the storage medium or the memory and converts the image data in a predetermined format. Figure 1 discloses, view of an electronic camera and printer system. Therefore, identification of the transmission origin (0088, name of device) and the file to be transmitted (0088, path of file) being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus (figure 6, structure of directories) and a transmission destination apparatus (0055, communication device) of the information transmission system (figure 1) in order to identify the identifying file (0088, print file) contained in the folder structure (figure 6) and having the unique structure (figure 7, elements of the print file) used to identify the transmission origin (0088, name of device) is suggested.

B. That Tanaka does not disclose “a folder structure that has been pre-standardized for the transmission origin and the transmission destination of the information transmission system in order to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin” in claim 4. Applicant’s appear to assert similar arguments for claims 2 and 3.

In response, the examiner respectfully disagrees that Tanaka does not disclose the limitation. Tanaka Figure 8 and 0093, discloses after that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer. Figure 1 discloses view of an electronic camera and printer system. Figure 6 discloses, structure of directories. Figure 7 discloses, elements of the

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print file. 0088 discloses, the general information indicates the data and time when the print file was recorded last and the name of the device that recorded the print file last. Therefore a folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus (0093, requests/reads directory information from printer/camera) of the information transmission system (figure 1) in order to identify an identifying file (0088, print file) contained in the folder structure (figure 6, structure of directories) and having a unique structure (figure 7, elements of print file) used to identify the transmission origin (0088, name of device) is suggested.

*Conclusion*

7. The prior art made of record listed on PTO-892 and not relied, if any, upon is considered pertinent to applicant's disclosure.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

*Contact Information*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael D. Pham whose telephone number is (571)272-3924. The examiner can normally be reached on Monday - Friday 9am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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